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SIPDIS
SENSITIVE

STATE FOR G-TIP AMBASSADOR MARK LAGON

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TAGS: ELAB KCRM PHUM PREL SMIG KJUS ASEC AR
SUBJECT: TRAFFICKING IN PERSONS: ARGENTINA SERIOUS ABOUT
IMPLEMENTING NEW LAW

Ref: (A) BUENOS AIRES 0501; (B) BUENOS AIRES 0465;
(C) BUENOS AIRES 0438

¶1. (SBU) Summary: On the evening of May 7, Argentine Minister of Justice and Security Anibal Fernandez told visiting ICE Assistant Secretary Myers and Ambassador Wayne that he was serious about implementing Argentina's new federal law against Trafficking in Persons (TIP) and is very open to working with the USG both to develop Argentine capacities and on specific cases. Fernandez said he was convinced that vigorous implementation of the law will lead people to conclude that criticism of the law over the issue of consent by adults (reflets) is not well-founded. He invited ICE to send an expert to a TIP seminar being organized by his Ministry in June. We are hearing from independent sources that Fernandez is stressing the law's importance to provincial law enforcement officials. End Summary.

¶2. (SBU) Ambassador arranged for Justice and Security Minister Anibal Fernandez to meet visiting ICE Assistant Secretary Julie Myers the evening of May 7 to discuss implementation of Argentina's new federal law against trafficking in persons. Fernandez's Ministry will have primary executive branch responsibility for implementing the country's first-ever federal TIP law. He said a number of NGOs and others had raised questions about the new law because of the language about adult consent in it. He said that his reading of the law is that if there is evidence of trafficking, consent is not an obstacle to prosecution. He said he believed vigorous implementation of the law would demonstrate that the worry over consent was not well-founded. Fernandez said that he saw four main steps needed: 1) identify and organize the forces needed to target traffickers (he said he plans to have this done in the next few days); 2) begin to move against traffickers; 3) set up a vigorous victims' assistance and protection program; and 4) start a serious national publicity campaign to raise awareness against trafficking.

¶3. (SBU) Fernandez said he believed there were a number of instances where people are being forced to work in situations close to slavery, and cited the practice of bringing in families from Bolivia to Argentina to work under very bad conditions. He noted that there were some areas in the northeast of Argentina and in Paraguay where sex trafficking of fair-haired girls, especially minors, was a serious problem. In these cases, it is necessary to bring about changes in local culture/mentality, as well as taking police and official actions. He noted a number of arrests several weeks ago at a farm in Buenos Aires Province where workers including minors were being forced to work under inhumane conditions. He said a number of other criminal complaints were ready to go forward in the weeks ahead.

¶4. (SBU) A/S Myers said that ICE might be able to help as this process moved ahead and would be interested in cooperating on any international trafficking uncovered. Fernandez said he would be very

open to this type of assistance and cooperation. He said he was working to create a single intelligence office in the Ministry to attack trafficking networks. Myers noted that we could work through our ICE Attache to share information with this office. Fernandez agreed and suggested that we hold a follow-up meet again with him to set up the right channels. He noted that in one case recently, a baby had been stolen from a hospital in Argentina shortly after birth. He said his forces suspected it was tied to a specific request to traffickers for a newborn, but in a worse case it could have been a trafficking-in-organs case.

¶ 15. (SBU) Fernandez said he was organizing a seminar/conference on TIP around June 11-12 and would welcome a U.S. expert/specialist (a French expert's participation is already confirmed). Myers said she would look into inviting someone. Fernandez said he had to deal with serious corruption problems of local police in the northern and northwestern provinces. He recounted several examples, including the case of Argentine NGO leader Susana Trimarco's daughter, where local prosecutors and police were tied to or bribed by traffickers.

¶ 16. (SBU) A/S Myers again said that ICE could cooperate with Argentine authorities on international cases including child sex cases and cooperation and communication could take place through law enforcement channels. Fernandez agreed with that idea. Myers noted the importance of public awareness campaigns and said ICE had some experience in this area, too. Fernandez said public communications were fundamental in stopping trafficking, and he hoped this would be a theme to be treated at his June conference. He said he wants to build a system whereby witnesses and victims could expose traffickers and be fully protected. Myers noted that NGOs can help in this area. Fernandez agreed and cited his experience working with Susanna Trimarco. He noted that he had established a child

protection unit two years ago but it had not been nearly as successful as he had hoped, in part, because of corruption of local authorities given the huge profits involved in child sex schemes. He said this was an area where he hoped to make clear progress.

¶ 17. (SBU) We are hearing from independent sources that Fernandez is pushing enforcement of the TIP law. Cordoba Province Attorney General Dario Randazzo (protect) told DCM that, at a meeting of provincial prosecutors on May 13, Fernandez called the law's existence to the group's attention and emphasized that its enforcement was a government priority. He urged the prosecutors to work with his Ministry to pursue these cases.

¶ 18. (U) A/S Myers did not have a chance to clear this cable.

WAYNE